Data Submitted (UTC 11): 12/10/2021 12:11:38 AM
First name: Anne
Last name: Brataas
Organization:
Title:
Comments: [External Email]Lutsen Mountains Ski Area Expansion Project

[External Email]
If this message comes from an unexpected sender or references a vague/unexpected topic;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov
Dear U.S.F.S. Friends,
Thank you for the work you do. Attached please find my PDF comment OPPOSING granting the SUP requested by LMC. I also embed it in this email, being a belts and suspenders type.

<Begin Embed>

Dear Responsible Parties,

Enclosed please find my comments opposing proposal #52440 Lutsen Mountains Ski Area Expansion Project, as described in the draft environmental impact statement (DEIS).

I support Option #1: No change.

I am Anne Brataas of Grand Marais, founder of Minnesota Children's Press (MCP) in Grand Marais, Minnesota www.minnchildpress.org. MCP is a children's advocacy and mentoring 501 c(3) nonprofit dedicated to preparing rural Minnesota children ages 5-15 to lead sustainable, humane, meaningful lives, now and in the future, through publishing books that kids write, illustrate and sell to establish an entrepreneurial portfolio that helps them earn scholarships, pay tuition and graduate debt-free from college. Our mission is to prepare rural children to succeed in a variety of 21st century careers and professions of the knowledge economy, and to have a choice of lifestyles through which they create positive, generative, just and sustainable community wherever they live.

SPECIFIC CONCERNS:

1. Failure to serve the public interest as required in special use permitting cases by federal mandate in 36 CFR 254.3(b)(2), which empowers U.S.F.S to authorize a discretionary land exchange "only after a determination is made that the public interest will be well served." Lutsen Mountain Corporation (LCM) bases its claim to public interest service on the questionable assumption of economic viability of snow sport tourism expansion during global climate change-growth creates jobs. That is last century's model. Now, in peak-climate change, this assumption requires rigorous analysis, scientific support and inclusion of the full weight of climate data in the economic forecasting models.

The failure to fully consider the impact of climate change on altering North Shore's snowfall and quality--effects that are generally outlined in the DEIS and technical report--disqualify this project as serving the public interest. A failed ski resort due to lack of snow and customers, leaving the wreck of a destroyed forest of Tribal lands, is not in the public interest, yet is a very real possibility. More than 200 ski resorts in the Italian Alps have been abandoned due to climate effects that destroyed the business model. As noted in the DEIS and technical report, warmer days, shorter snow season, increased winter rainfall where once there was snow precipitation. All change the quality of natural snow, the ski base, the water content of natural snow, require more mechanical

snow, increase the carbon footprint and perhaps exceed their water permit from Lake Superior needed to make snow, and increase air and soil pollution and salts from artificial snow. The impact of this scenario is not fully detailed in the DEIS, suggesting it hasn't even occurred to principals that the project could suffer economic failure due to lack of snow and snow experiences their consumer skiers desire. This failure to fully and rigorously factor in the very real impacts of snow deficit, or poor quality of snow, or need for more machine-made snow due to climate change in Minnesota is reckless and irresponsible and violates the U.S.F.S. charge to serve the public interest in its special use permitting decision.

In short: Now--peak climate change acceleration, 2020-2050--is not the time to propose expanding a snow tourism operation in Minnesota, especially one that requires a public subsidy to do so. If LCM believes otherwise, and that now is the time to expand, they must do as all savvy business owners do, negotiate a resourceful opportunity through marketplace solutions in which they and their investors alone take the risk. Not the public. Instead, LCM seeks to maximize profit as a private interest while shifting the risk of irreversible loss of unfragmented Native lands to the tribes in violation of the Treaty of 1854 that protects historic and cultural Tribal interests and Tribes' usufructuary rights to the land. LCM also plays silent partner with the U.S.F.S. in what the Grand Portage Band of Lake Superior Chippewa Reservation Tribal Council has aptly termed a "land grab" (Deschamps letter to the Cook County Chamber of Commerce, Oct. 27, 2021) by helping the U.S.F.S. fulfill its trustee role to provide recreation lands to the public. Serving the public interest requires a broad, inclusive outreach offer of accessible outdoor recreational experiences to many people at large, not a Treaty lands subsidy to a elite winter sport enterprise run by private interests for profits that accrue only to owners and investors. For a more current (2018) evidence-based study than included in the DEIS on the questionable assumption of economic viability that threatens the public interest in this case, see: Economic Contributions of Winter Sports in a Changing Climate, Burakowski, E.A. and M. Magnusson, 2018. https://scholars.unh.edu/ersc/191/ Last accessed Dec. 9, 2021.

2. Inadequate effort to fulfill Treaty 1854 obligations in the DEIS by failing to rectify omissions of Native cultural data and testimony of elders, and to otherwise meaningfully address the Native Bands' cultural, historical, spiritual and legal rights under the Treaty of 1854, which is co-equal to U.S. federal law. To act in good faith, the EIS must be more inclusive of Anishinaabe history and culture. It must contact, interview and document elders' concerns.

The DEIS offers only a tepid effort in 1.4 Tribal Involvement section at contacting and honoring the Anishinaabe influences on the land in question, leaving the impression that talking to Natives remains on a vague to-do list somewhere. Unacceptable. Prioritize it. Professionally staff it. Schedule it. Commit to doing this right and well. Insist on that outcome.

From 1.4 of the DEIS, page 5, paragraph 3 of that section:

Requests from the Tribes to incorporate elder interviews and to be involved or complete their own cultural surveys were also received. Attempts were made to include Tribal representatives in the archaeological surveys completed in 2020; however, the timing and logistics did not make it feasible. In addition, the Forest Service indicated that any elder interviews provided by the Tribes would be incorporated into the cultural resources analysis for the project. As of the publication of this Draft EIS, no interviews had been received. Consultation and coordination with the Tribes in the area will be ongoing throughout this NEPA process and the Final EIS is expected to be updated with the results of consultation with the Tribes.

This project merits U.S.F.S. review and consideration for an SUP because it appeals to its charge to meet economic and recreational use of public lands, as cited in the Dear Interested Party scoping letter of April 28, 2020:

"The proposed projects provide an opportunity to meet the SNF Forest-wide Goals around providing forest settings and natural resources that enhance social and economic benefits as well as Recreation-specific Desired Conditions for the SNF. "

That's a wonderful public service. However, this LCM project does not satisfy the public interest requirements to be eligible for federal land use considerations, particularly Treaty lands. This is especially true given the context of Cook County poverty rates of Native Americans plotted against the demographics of downhill skiing and snowboarding, and the projected incomes of owners and investors.

Given this superficial and wholly inadequate treatment of Tribal Concerns in the DEIS, the project should not move forward, and no decision should be made by the U.S.F.S. until the cultural history of the highlands is fully documented by elders and the six cultural sites studied and analyzed, which are referenced in an Oct. 27, 2021 to the Cook County Chamber of Commerce by Robert Deschamps as already mapped, and awaiting further study. A best-practices study must be performed.

3. Environmental degradation from the clearance and processing of CO2-sequestering forest trees in an irreplaceable unfragmented tract now stewarded on Treaty lands; fossil-fuel inputs from increased construction and tourist transport activities; likelihood of exceeding Lake Superior water withdrawal permit limits for additional operation of snow-making machines in a changed climate of warmer temperatures and a shorter snow season, as described in DEIS; deposition of machine-made snow additives on soil.

SUPPORTING REASONS

1. Failure to serve the public good. We see no data and evidence that the project serves the public good, as required under CFR 36 when the U.S.Forest Service grants a special use purpose. (SUP). Rather, LCM is asking us to believe the proposition that the private good of LCM profits is actually the public good because its expansion ensures longterm success of LCM and offers employment, secondary econonomic inputs form tourism to the area. Problems with this argument are:

* There is no guarantee that LCM Expansion will indeed succeed to provide jobs over the 20 years of building out this project, and operating it from 2040 and beyond. North America reaches peak climate catastrophe in 2050. Three data points show:
1. Climate changes are accelerating and impacting snowfall such that as of December 2021 U.S. Rocky Mountain ski resorts are experiencing their latest measurable first snowfall in 87 years https://www.usnews.com/news/news/articles/2021-12-03/wheres-the-snow-rockies-winter-starts-with-a-whimper
2. As of 2019 in the Italian Alps, more than 200 ski resorts have been abandoned in recent years due to lack of suitable snow. https://www.theguardian.com/environment/2019/dec/09/seduced-abandoned-tourism-and-climate-change-the-alps and https://newrepublic.com/article/154261/climate-change-italy-alps-ruins-ski-resorts

3. According to the FS technical report on Air Quality and Climate Change at https://www.fs.usda.gov/nfs/11558/www/nepa/107598_FSPLT3_5670580.pdf , the scientific climate change projections cited call for warmer northern Minnesota winter temperatures and increased winter precipitation in the form of ice, not snow. This future low-quality substrate scenario undermines the entire justification of this project as stated in the Needs section, in which LCM contends the expansion is needed to create higher quality ski experiences sought by skiiers accustomed to Rocky Mountain snow conditions. This is ambitious marketing, not climatology science: our North Shore snowfall will never be the champagne powder-2% water content-that is prized by mountain west skiiers. The lack of science here is striking. Why didn't the DEIS analyze characteristics of snow-there is a huge body of rigorous science on snow precipitation, and I urge U.S.F.S. to consult your sister Dept of Ag. Data base on water content in snow. Ambitious marketing is fine if LCM is paying for the expansion itself. It's not; it's asking for a public subsidy on a ruinously mis-planned expansion that ignores scientific weather data and trends at its peril. No amount of marketing about snow rivaling western mountain snowfall will

cover the rocky rubble exposed by global warming. Forget champagnme powder; we will do well to keep Lutsen snow below 40% water content of ice and slush.

4. The coronavirus pandemic places servers, bartenders and cleaners at risk of contagion and exacerbates Cook County's well-established difficulty in staffing its hospitality infrastructure locally, without foreign guest workers, who are currently not allowed into the U.S. Even if this changes in the context of COVID-19, we have entered the era of pandemics. There will be new viruses, https://www.npr.org/2021/12/06/1061752337/a-scientist-behind-the-astrazeneca-vaccine-is-warning-the-next-pandemic-may-be-w new threats, new restrictions on H-2B and J-1 guest workers and challenges finding staff. https://tcbmag.com/grand-marais-hospitality-businesses-struggle-to-serve-summer-tourists/ . Most summers Sven and Ole's Pizza Parlor in Grand Marais employees 40 workers; this summer it was down to 4; upped wages to $24/hour and closed early for the season. What is to ensure LCM a steady workforce, especially faced with the well-documented housing shortage?

* Any LCM jobs created are last-century jobs of episodic laborer, service, trades, hospitality industry, not higher-skilled continuous-work jobs or 21st century knowledge economy careers that most people in 2021 need and desire to reach economic stability and afford housing such that they do not expend > 30% of their income. In particular, servers, bartenders and cleaners are most needed to provide the labor infrastructure of success to LCM, and the least cared for or likely to thrive due to the expansion.

UPSHOT: All of these developments suggests now is not the time to expand a snow- and cold-dependent ski resort in Lutsen, Minn,--especially one subsidized by private Treaty of 1854 Lands. If LCM, as entrepreneurs able and willing to subsidize their own risk through existing marketplace solutions, fine, do it! But leave this SUP request out of it. There is no public good served-only private interests subsidized with public lands and low-skill, low-wage work that does not offer upward mobility, stable housing, or a generative future one seeks in creating the underpinning of a thriving community and economy.

2. Failure to address Anishinaabe history, culture, Treaty Rights of 1854
Documentation in the form of a Technical Report on Culture is absent from the public record. Therefore, the extent of DEIS efforts to include Native input is impossible to accurately judge. When asked about this missing resource, USFS Project Lead Michael Jiménez responded by email Dec. 7, 2021 that this omission is legally required because the culture reports contain sensitive information that must be protected from public view.

Is it possible to provide a "declassified' summary? Or a redacted version? If not, other means must be found to include Native voices and perspectives in the final EIS to clarify the good intent and faithful actions that the U.S.F.S. is acting in the public interest. ALL public. That the Tribes question this is relayed in this letter to the Cook County Chamber of Commerce, Oct. 27, 2021 characterizing such action as land grabs.

"Special Use Permits Appropriate Public Lands Without Compensating Tribes
US Forest Service SUPs are often granted to non-tribal entities for the underlying purpose of economic gain by both the permittee and the USFS. While the USFS receives money and fees from the permittees, it often issues the permits without requiring any compensation to the Tribes for the loss of access to their treaty resources thereby perpetuating historic land grabs that further drive the economic hardships of tribal communities."

This concludes my comments. Thank you for this opportunity to participate in the public interest stewardship of the North Shore environment, economy, history and culture through this important conversation.

Signed,

Anne Brataas

P.O. Box 301
Grand Marais MN 55604
anne@minnchildpress.org
218-387-5666

<End embed>

Many thanks,

Anne

<

Anne Brataas, M.S., M.En.S., M.A. | President and Chief Curiosity Officer
Minnesota Children's Press | Books by Children
A 501 (c)(3) Non-profit Educational Corporation
P.O. Box 301 | Grand Marais, Minnesota 55604
To Donate tax-free: PayPal.Me/MinnChildrensPress

Cell & Text (218) 387-5666 | anne@minnchildpress.org | www.minnchildpress.org